11th Election District 5th Councilmanic District Waldon J. Stevanus, et ux

* Case No. 92-404-A

Petitioners * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (above ground pool) in the side yard, in lieu of the rear yard, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore 1992 that the Petition for a Zoning Variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (above ground pool) in the side yard, in lieu of the rear yard, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> The Petitioners may apply for their building permit and be granted same upon receipt of this Order: however. Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > Zoning Commissioner for Baltimore County

LES/mmn

Zoning Description

Beginning at a point on the NWS of Vollmert Ave, 500 ft. Sw of the Centerline of Necker Ave. thence running 5 48° 11 E 287.75 pt- SW thence N 35040' W 163.54 NW thence N 48° 03' N 266.03 ft. NE thence 5450 55 W 164 ft. 3E to the point of beginning. Containing 1.04 AC. and located in the 11th Election District. Also Known as #8524 Vollmert Ave.

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d return:	18/92
P (400)	
	d return:

H920**0443**

010 -ZONING VARIANCE (IRL) \$50.00 LAST NAME OF OWNER: STEVANUS

Please Make Checks Payable To: Baltimore County

ADMINISTRATIVE VARIANCE: 50.

TOWER: W.J. STEVANUS

1. FOREY: 8524 VOLLMENT AVEDANDANDO32HICHRC
BALTO:, Md. Z1236

BALTO:, Md. Z1236

BALTO:, Md. Z1236

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located in Beltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 400-1 70 DEPMIT AN ACCESSORY STRUCTURE (MOVE GROUND POOL) in THE SIDE YARD IN LIEU OF THE READ YARD

of the Zoning Regulations of Baltimore County for the following reasons: (Indicate hardship or practical difficulty)

Property is to be advertised and/or posted as prescribed by Zoning Regulations

I/we agree to pay expenses of the above posting and, if accessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of BaltimoreCounty adopted pursuant to the Zoning Law for

I/we do solemnly declare and affirm, under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject Westeranns MARGARET OSTEVANUS SALTIMORE MD 2/238

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner Of Baltimore County, this _____ day of _____, 19___, that the subject matter of this petition be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County in two newspapers of seneral circulation throughout Baltimore County, and that the property be reposted. circulation throughout Baltimore County, and that the property be reposted.

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue

Towson, MD 21204

May 19, 1992

Mr. & Mrs. Waldon J. Stevanus 8524 Vollmert Avenue Baltimore, MD 21236

> RE: Item No. 443, Case No. 92-404-A Petitioner: Waldon J. Stevanus, et ux Petition for Administrative Variance

Dear Mr. & Mrs. Stevanus:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

AFFIDAVIT IN SUPPORT OF ADMINISTRATIVE VARIANCE 92-404-1 That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does/do presently reside at 8534 VOLLMERT AVE BALTIMORE MD 21236 That based upon personal knowledge, the following are the facts upon which I/we base the request for an Adm. 1. Access to dRAINAGE AREA 2. CONVENIENT TO house 3. PRESENT SITE USED FOR 184RS

WALDOW J. STEVANUS AND MARGARET O STEVANUS

AS WITNESS my hand and Notarial Scal. auxil 21, 1992

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made onth in due form of law that the matters and facts hereisabove set forth are true and correct to the best of his/her/their knowledge and belief.

Billimore County (Secondary) Zening Commissioners Office of Planning and Zening. 1

May 28, 1992

Suite 113 Courthouse

400 Washington Avenue Towson, MD 21204

Mr. and Mrs. Waldon J. Stevanus 8524 Vollmert Avenue

> RE: Petition for Residential Zoning Variance Case No. 92-404-A

Dear Mr. and Mrs. Stevanus:

Baltimore, Maryland 21236

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Lawrence E. Schmidt Zoning Commissioner

(110) 887 4386

FUBLIC HEARING FEES PRICE

Zoning Commisione.
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

- Computer was

ADUERTISING; POSTING

85.00

111 West Chesapeake Avenue Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 15th day of April 1992.

Zoning Plans Advisory Committee

Petitioner: Waldon J. Stevanus, et ux Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND

OFFICE OF PLANNING AND ZONING New Courts Building 401 Bosley Avenue Towson, MD 21204

MEDIORANDUM

Arnold Jablon, Director - Zoning Administration & Development

Ervin McDaniel, Chief Development Review Section Office of Planning and Zoning

May 5, 1992

PETITIONS FROM ZONING ADVISORY COMMITTEE - May 4, 1992

The Office of Planning and Zoning has no comments on the following petitions:

George Raduano - Merritt Blvd. Huntington Development Corp. - Hunting Tweed Drive Waldon J. Stevanus - 8524 Volmert Avenue 443 Rita L. Ruff - Elm Road Eric Van Den Beemt - Monkton Road Warren E. Downey - Weddel Avenue

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.

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5086-92 Baltimore County Government

700 East Joppa Road Suite 901 Towson, MD 21204-5500

MAY 8, 1992

(301) 887-4500

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204

WALDON J. STEVANUS AND MARGARET O. STEVANUS RE: Property Owner:

Fire Department

#8524 VOLLMERT AVENUE Location:

Zoning Agenda: MAY 4, 1992 Item No.: 443 (JCM)

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Noted and Fire Prevention Bureau Planning Group Special Inspection Division

JP/KEK

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 7, 1992 Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

Zoning Advisory Committee Meeting for May 11, 1992

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for the following properties:

Scripps Howard Broadcasting Company 6400 York Road

Huntington Development Corporation 3216 Hunting Tweed Drive

Waldon J. Stevanus & Margaret O. Stevanus 443 8524 Vollmert Avenue

Rita L. Ruff 1307 Elma Road

Jeffrey W. Sheldon & Charles H. Sheldon 211 Nicodemus Road

Kric vanden Beemt & Patricia vanden Beemt 16616 Remare Road

Wm R. Sturgeon & Carol L. Sturgeon

8715 Windsor Mill Road Warren E. Downey & Linda M. Downey

1227 Weddel Avenue SIGNED: ROBERT W ROWN INTO

ROBERT W. BOWLING, P.E., Chief Developers Engineering Division

RWB: DAK: s

BUREAU OF TRAFFIC ENGINEERING DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY, MARYLAND

DATE: May 7, 1992

Mr. Arnold Jablon, Director Office of Zoning Administration and Development Management

Rahee J. Famili

SUBJECT: 2.A.C. Comments

LEGAL OWNER: Waldon J. Stevanus 443

2.A.C. MEETING DATE: May 4, 1992

There are no comments for this site.

Traffic Engineer II

Department of Recreation and Parks

Development Review Committee Resnonse Form

Authorized signature

Date

STP DEPRM RP (To EIRD)

DED DEPRM RP STP TE #44!

Huntington Development Corporation (Hunting Tweed Drive)

CR-92-399-XA (

Waiver Number

George Raduano And Elizabeth Raduano

Scripps Howard Broadcasting Company

Waldon J. And Margaret O. Stevanus

Jeffery W. And Charles H. Sheldon

Eric and Patricia vanden Beemt

William R. And Carol L. Sturgeon

Larry R. And Dianna L. Long

Warren E. And Linda M. Downey

DED DEPRM RP STP TE #440

DED DEPRM RP STP TE #442

DED DEPRM RP STP TE #45

DED DEPRM RP STP TE

Rita L. Ruff

1500 Glencoe Road - Oldfields School, Inc. 432

Meeting Date

4-27-92

5-4-92

No Come

RJF/dm

File Number

COUNT 1

BALT MORE COUNTY, MARY AND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

Mr. Arnold Jablon, Director Zoning Administration and Development Management FROM: Mr. J. Lawrence Pilson

Development Coordinator DEPRM Waldon J. Stevanus & Margaret O. Stevanus ##43 #8524 Vollmert Avenue Zoning Advisory Committee Meeting of May 4, 1992

Development of this site must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains. JLP:sp

JABLON8/TXTSBP

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

April 30, 1992

(410) 887-3353

Waldon and Margaret Stevanus 8524 Vollmert Avenue Baltimore, Maryland 21236

Re: CASE NUMBER: 92-404-1

LOCATION: Mi/S Vollmert avenue, 500' SN of c/l Necker avenue 8524 Vollmert Avenue 11th Election District - 5th Councilmanic

DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before May 11, 1992. The closing date is May 26, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) great the requested relief, (b) demy the requested relief, or (c) demand that the metter be set in for a public bearing. You will receive written notification as to whether or not your petition has been granted, demied, or will go to public hearing. 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the

Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers. Charges related to the reposting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR

Zoning Commissioner, Baltimore County





